

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BYRON CHANT,

Plaintiff,

NO. CV-13-0248-LRS

vs.

LEVI SHEPARD and
WASHINGTON STATE
PENITENTIARY,

Defendants.

ORDER DENYING *IN FORMA*
PAUPERIS STATUS AND DISMISSING
COMPLAINT WITHOUT PREJUDICE

By Order filed August 19, 2013, the Court directed Mr. Chant, a *pro se* prisoner at the Olympic Corrections Center in Forks, Washington, to comply with 28 U.S.C. § 1915(a)(2) which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified copy of their trust fund account statement (or institutional equivalent) for the 6-months immediately preceding the filing of the complaint. The Court also directed Plaintiff to show cause why he should not be precluded from proceed *in forma pauperis* under 28 U.S.C. § 1915(g). Plaintiff did not comply with the Court's directive or file anything further in this action.

Therefore, **IT IS ORDERED** Plaintiff's application to proceed *in forma pauperis* is **DENIED** for failure to comply with the filing requirements of 28 U.S.C. § 1915(a)(2). Because Plaintiff also failed to pay the applicable fee of \$400.00 (\$350.00 filing fee plus \$50.00 administrative fee), to commence this action pursuant to 28 U.S.C. § 1914, **IT IS ORDERED** the complaint is **DISMISSED without prejudice** for failure to comply with

ORDER DENYING *IN FORMA PAUPERIS* STATUS AND DISMISSING
COMPLAINT WITHOUT PREJUDICE -- 1

1 the filing fee requirements.

2 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
3 Order, enter judgment, forward copies to Plaintiff at his last known address, and close
4 the file. The Court certifies any appeal of this dismissal would not be taken in good
5 faith.

6 **DATED** this 30th day of September, 2013.

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8 *s/Lonny R. Suko*

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10 LONNY R. SUKO
11 UNITED STATES DISTRICT JUDGE
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